

ORIGINAL

PTO/SB/64/PCT (10-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)		Docket Number (Optional) Le A 32 701
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First named inventor: **Elmar Reinhold Burchardt**International (PCT) Application No.: **PCT/EP99/03392** U.S. Application No.: **09/701,313**Filed: **17 May 1999**

(if known)

Title: **Monoclonal Antibody and Assay for Detecting PIIINP**

Attention: PCT Legal Staff
 Box PCT
 Assistant Commissioner for Patents
 Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8
 The undersigned hereby certifies that this paper and any papers referred to as attached is/are being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on this 27th day of November, 2002.

Susan M. Elligas
 Signature of Person Certifying

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.494(b) or (c) or 1.495(b) or (c) as applicable). The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.494(g) or 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee--required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity - fee \$_____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other that small entity - fee \$ 1,280.00 (37 CFR 1.17(m)) **The Commissioner is hereby authorized to charge the fee under 37 CFR 1.17(m) to Deposit Account 13-3372. A duplicate of this sheet is attached.**

2. Proper reply

A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s) in the form of **Sequence Listing in Computer Readable Format in response to** (identify type of reply): **the Notification of a Defective Response mailed to Applicants on 04/03/2002**

- has been filed previously on _____
- is enclosed herewith.

***is being submitted under separate cover to the U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202. A copy of the submission is attached.**

12/06/2002 RAYPAGN 00010031 133372 09701313

01 FC:1453

1280.00 CH

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

3. Terminal disclaimer with disclaimer fee

Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

11/27/2002

Date

Telephone
Number: (203) 812-6450

Signature

Susan M. Pellegrino, Reg. No. 48,972

Typed or printed name

BAYER CORPORATION

400 Morgan Lane Address
West Haven, CT 06516

Enclosures:

Response

Fee Payment The Commissioner is hereby authorized to charge the fee under 37 CFR 1.17(m) to Deposit Account 13-3372. A duplicate of this sheet is attached.

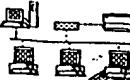
Terminal Disclaimer Form

Itemized Return Receipt Postcard.

O/PE

S/K

BIOTECHNOLOGY
SYSTEMS
BRANCH



5080

CRF Problem Report

The Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 09/701,313 A
Filing Date: 11/28/2000
Date Processed by STIC: 3/13/2002

STIC Contact: Mark Spencer, 703-308-4212

Nature of Problem:

The CRF (was):

(circle one) Damaged or Unreadable (for Unreadable, see attached)
 Blank (no files on CRF) (see attached)
 Empty file (filename present, but no bytes in file) (see attached)
 Virus-infected. Virus name: _____ The STIC will not process the CRF.
 Not saved in ASCII text
 Sequence Listing was embedded in the file. According to Sequence Rules,
submitted file should **only** be the Sequence Listing.
 Did not contain a Sequence Listing. (see attached sample)
 Other: _____

PLEASE USE THE CHECKER VERSION 3.1 PROGRAM TO REDUCE ERRORS.

SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7th Floor, Examiner Name,
Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202
Or
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two,
2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service , or other delivery service to: U.S. Patent and Trademark Office,
Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002

SEQUENCE LISTING

<110> Burchardt, Elmar R.
Kroll, Werner
Gehrmann, Mathias
Schroder, Werner

<120> Monoclonal Antibody and Assay for Detecting PIIINP

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